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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,174	09/27/2001	Mikihiro Gau	14948	3942

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SCULLY SCOTT MURPHY & PRESSER, PC
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GARDEN CITY, NY 11530

EXAMINER

CASLER, TRACI

ART UNIT	PAPER NUMBER
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3629

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	12/27/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/965,174

Applicant(s)

GAU ET AL.

Examiner

Traci L. Casler

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is in response to papers filed on October 10, 2006.

Claims 7-12 are pending.

Claims 8-12 are amended.

Claims 7-12 are rejected.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Publication 2002/0133387 Wilson et al; Systems and Methods for End-to-End Fulfillment and Supply Chain Management. Hereinafter referred to as Wilson.

3. As to claim 7 Wilson teaches entering user information in the form of Client id(who), client location(to whom), item(what), delivery date(when) and quantity(how much) (Pg. 5 ¶ 37) and cost based on type of deliver(PG. 8 ¶ 61).

Wilson further teaches populating supply information based off of the demand information that was entered(Pg. ¶ 46).

Wilson creates multiple scenarios in which the demand information can be supplied to the user(Pg. 7 ¶ 50)

Wilson identifies the most efficient process for getting the user the needed items and processes the order according the best process(Pg. 7 ¶ 51).

4. As to claims 9-12 Wilson teaches entering user information in the form of Client id(who), client location(to whom), item(what), delivery date(when) and quantity(how much) (Pg. 5 ¶ 37) and cost based on type of deliver(PG. 8 ¶ 61).

Wilson further teaches populating supply information based off of the demand information that was entered(Pg. ¶ 46).

Wilson creates multiple scenarios in which the demand information can be supplied to the user(Pg. 7 ¶ 50)

Wilson identifies the most efficient process for getting the user the needed items and processes the order according the best process(Pg. 7 ¶ 51).

Wilson teaches user defined accommodations that determine the flow and process of business(PG. 2 ¶ 13, Pg. 4 ¶ 35)

5. As to claim 8 Wilson identifies the most efficient process for getting the user the needed items and processes the order according the best process(Pg. 7 ¶ 51). **AND Wilson teaches user defined accommodations that determine the flow and process of business(PG. 2 ¶ 13, Pg. 4 ¶ 35)**

Response to Arguments

6. Applicant's arguments filed October 10, 2006 have been fully considered but they are not persuasive.

7. Applicant argues that the prior art fails to teach the flow and process being "defined by user accommodations". The examiner notes that these amendments are still broad in interpretation. A user defined accommodation is simply defined as a change made so as to meet the demand of the purchasers requests/orders. Therefore Wilson has user accommodations for "reserving" the inventory at specific warehouses in order to make sure they meet the delivery date promised to the purchaser. Wilson determines if the reserved inventory is needed to meet the deadlines. If yes, the purchase/request begins processing to be sent from the reserved warehouse. However, if the reserved inventory is not needed it is released from being "held" and can be used to fulfill other requests/orders. Meanwhile the original request/order is being processed by a different warehouse.
8. Applicant argues that Wilson does not disclose a "business procedure" defining a sequences of a plurality of sets of information. Again, the examiner notes, this limitation is very broad leaving several interpretations as to what a "procedure" is and a "generation sequence" of sets of information. This limitation can merely be read to merely setting up steps to be done to meet the request.
9. The applicant additionally argues that Wilson fails to teach the "business flow" which defines a relationship between procedures. This could simple be multiple items in one order needed to be process. Defining a relationship is very general, any type of relationship or similar or common information can be considered a relationship. The relationship can be Step 1(bus. Procedure 1) needs to be completed in order for Step 2(bus. Proc 2) to take place.

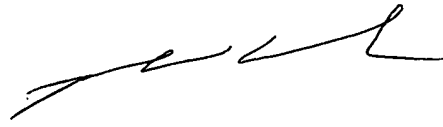
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Traci L. Casler(formerly Smith) whose telephone number is 571-272-6809. The examiner can normally be reached on Monday-Thursday 6:00 am-4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TLC



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